

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRIMINAL ACTION NO. 2:15-cr-00059

GARY BRIAN ADAMS,

Defendant.

ORDER

On May 21, 2015, came the United States of America, by Assistant United States Attorney Steven I. Loew, and also came the Defendant, Gary Brian Adams, in person and by his attorney, Lex A. Coleman, during which Defendant, as more particularly set forth on the record, entered a guilty plea to Count One of the Indictment, which charges him with being a felon in possession of a firearm in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

Pursuant to U.S.S.G. § 6A1 *et seq.*, it is hereby **ORDERED** that:

1. The Probation Office undertake a presentence investigation of the Defendant and prepare a presentence report for the Court;
2. Pursuant to Federal Rule of Criminal Procedure 32(e)(3), the United States Probation officer is directed not to disclose to the Defendant, the Defendant's counsel, or the attorney for the Government the Probation Officer's recommendation, if any, on the sentence;
3. The Court **ORDERS** that the United States Probation Office prepare and forward a draft presentence report to the United States and counsel for the Defendant no later than **July 16,**

2015; that the United States Attorney and counsel for the Defendant file any objections to the draft presentence report no later than **July 30, 2015**; and that the Probation Office submit a final presentence report to the Court no later than **August 13, 2015**. The Court **SCHEDULES** final disposition of this matter for **August 27, 2015, at 2:00 p.m.**;

4. The Government and the Defendant may file a Sentencing Memorandum addressing the sentencing factors set forth in 18 U.S.C. § 3553(a) as each party believes they may pertain to this case. The Sentencing Memorandum may also address such other matters as have not already been addressed in the form of motions or objections to the Presentence Report and may include argument as to the sentence to be imposed. The filing of the Sentencing Memorandum is optional. If filed, the Sentencing Memoranda shall be no more than five (5) pages in length, unless leave is granted by the Court for additional pages, and shall be filed with *and received by* the Clerk no later than **August 20, 2015**; and


5. The Defendant was remanded to the custody of the United States Marshals Service.

The trial of this criminal action is hereby **VACATED**.

IT IS SO ORDERED.

The Court **DIRECTS** the Clerk to send a copy of this Order to the Defendant and counsel, the United States Attorney, the United States Probation Office, and the United States Marshal.

ENTER: May 21, 2015



THOMAS E. JOHNSTON
UNITED STATES DISTRICT JUDGE